

From: "Jay Bedortha" <jbedortha@gpwlaw.com>
To: <MSC_Clerk@courts.mi.gov>
Date: 12/30/03 3:41PM
Subject: Proposed Court Rule 2003-47

Dear Clerk: Please post the following comment on the Supreme Court's website regarding Proposed Court Rule 2003-47.

The Michigan State Bar Committee on Civil Procedure voted unanimously on December 13, 2003 against the proposed court rule 2003-47, Inactive Asbestos Docket. The committee, chaired by attorney Ron Longhofer, all agreed that the court rule should not be adopted for the following reasons:

(1) No crisis has been shown to exist;

(2) This court rule would establish a special class of cases and the committee strongly believes that court rules should not carve out exceptions for a class of cases; court rules on civil procedure should apply to all cases;

(3) Passage of this proposed court rule would create a judicial nightmare in determining which cases could go forward and which could not.

The State Bar Committee will give their recommendation to the State Bar Commissioners, who will then weigh in with the Court. We hope that the Committee and the Commissioners will publicly state their recommendations.